

AUG 22 2006

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

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ERROL WINTER ,	)	
Petitioner,	)	Civil Action No. 7:06-cv-00493
	)	
v.	)	<u>FINAL ORDER</u>
	)	
TERRY O'BRIEN, WARDEN,	)	By: Hon. James C. Turk
Respondent.	)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ADJUDGED AND ORDERED**

that the above referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2241, shall be  
and hereby is **DISMISSED** without prejudice and stricken from the active docket of the court.

The Clerk is directed to send a certified copy of this final order and the accompanying  
memorandum opinion to the petitioner.

ENTER: This 22<sup>nd</sup> day of August, 2006.

*[Signature: James C. Turk]*  
Senior United States District Judge